

JUN 19 2013

JULIA C. DOOLEY, CLERK
BY: 
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ROBERT MAYTON,)	CASE NO. 7:13CV00284
)	
Petitioner,)	
v.)	FINAL ORDER
)	
)	
JEFFERY DILLMAN, WARDEN,)	By: Glen E. Conrad
)	Chief United States District Judge
Respondent.)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED** without prejudice for failure to exhaust state court remedies, petitioner's pending motions (ECF Nos. 4 & 5) are **DENIED**; and this action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

ENTER: This 19th day of June, 2013.



Chief United States District Judge